

AMENDED IN ASSEMBLY MAY 19, 2014
AMENDED IN SENATE JANUARY 27, 2014
AMENDED IN SENATE JANUARY 13, 2014
AMENDED IN SENATE MAY 14, 2013
AMENDED IN SENATE APRIL 22, 2013
AMENDED IN SENATE APRIL 10, 2013

SENATE BILL

No. 792

**Introduced by Senator DeSaulnier
(Coauthors: Senators Hancock, Hill, and Leno)**

February 22, 2013

An act to ~~amend Section 65080 of, and to add Sections 66537.1, 66537.2, 66537.3, 66537.4, 66537.6, and 66537.7 to~~ the Government Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

SB 792, as amended, DeSaulnier. Regional entities: San Francisco Bay Area.

Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the Association of Bay Area Governments, is created under existing law as a joint powers agency comprised of cities and counties with regional planning responsibilities. Existing law

provides for a joint policy committee of certain member agencies in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan *adopted* in urban areas, to develop a sustainable communities strategy, coordinating transportation, land use, and air quality planning, with specified objectives.

This bill would require the member agencies of the joint policy committee to ~~prepare a plan for consolidating certain functions that are common to the member agencies~~ *complete an analysis of common functions and identify opportunities to save costs, reduce redundancies, and further the goals of the member agencies*. The bill would require the ~~plan~~ *analysis* to also include a statement relative to the expected reduction of overhead, operation, and management costs. ~~The bill would require a member agency affected by the plan to submit a copy of the plan to its board on or before December 31, 2015, and would require the member agencies to report to the Senate Committee on Transportation and Housing on the adoption and implementation of the plan on or before December 31, 2016.~~ The bill would also require the joint policy committee to maintain an Internet Web site containing information relevant to the committee's activities and to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to ~~the inclusion of economic development opportunities in the sustainable communities strategy, including social equity issues.~~

The bill would also ~~establish additional requirements for a sustainable communities strategy adopted on or after January 1, 2015, within the jurisdiction of the Metropolitan Transportation Commission, and would impose additional duties relating to that sustainable communities strategy on the Metropolitan Transportation Commission, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission.~~ Among those additional duties, the bill would require the Metropolitan Transportation Commission to convene a public engagement advisory group to ~~assist~~ *provide recommendations* in the development of a draft public participation plan *with respect to the regional transportation plan update*, as specified. The bill would also require the commission to report ~~biannually~~ *biennially* to the Legislature and the public on the progress in implementing the policies and programs of the sustainable communities strategy *prepared as part of the regional transportation plan*.

By imposing new duties on the Metropolitan Transportation Commission and other regional entities, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 65080 of the Government Code is~~
2 ~~amended to read:~~
3 ~~65080. (a) Each transportation planning agency designated~~
4 ~~under Section 29532 or 29532.1 shall prepare and adopt a regional~~
5 ~~transportation plan directed at achieving a coordinated and balanced~~
6 ~~regional transportation system, including, but not limited to, mass~~
7 ~~transportation, highway, railroad, maritime, bicycle, pedestrian,~~
8 ~~goods movement, and aviation facilities and services. The plan~~
9 ~~shall be action-oriented and pragmatic, considering both the~~
10 ~~short-term and long-term future, and shall present clear, concise~~
11 ~~policy guidance to local and state officials. The regional~~
12 ~~transportation plan shall consider factors specified in Section 134~~
13 ~~of Title 23 of the United States Code. Each transportation planning~~
14 ~~agency shall consider and incorporate, as appropriate, the~~
15 ~~transportation plans of cities, counties, districts, private~~
16 ~~organizations, and state and federal agencies.~~
17 ~~(b) The regional transportation plan shall be an internally~~
18 ~~consistent document and shall include all of the following:~~
19 ~~(1) A policy element that describes the transportation issues in~~
20 ~~the region, identifies and quantifies regional needs, and describes~~
21 ~~the desired short-range and long-range transportation goals, and~~
22 ~~pragmatic objective and policy statements. The objective and policy~~
23 ~~statements shall be consistent with the funding estimates of the~~
24 ~~financial element. The policy element of transportation planning~~
25 ~~agencies with populations that exceed 200,000 persons may~~

1 quantify a set of indicators including, but not limited to, all of the
2 following:

3 (A) Measures of mobility and traffic congestion, including, but
4 not limited to, daily vehicle hours of delay per capita and vehicle
5 miles traveled per capita.

6 (B) Measures of road and bridge maintenance and rehabilitation
7 needs, including, but not limited to, roadway pavement and bridge
8 conditions.

9 (C) Measures of means of travel, including, but not limited to,
10 percentage share of all trips (work and nonwork) made by all of
11 the following:

12 (i) Single-occupant vehicle.

13 (ii) Multiple-occupant vehicle or carpool.

14 (iii) Public transit including commuter rail and intercity rail.

15 (iv) Walking.

16 (v) Bicycling.

17 (D) Measures of safety and security, including, but not limited
18 to, total injuries and fatalities assigned to each of the modes set
19 forth in subparagraph (C).

20 (E) Measures of equity and accessibility, including, but not
21 limited to, percentage of the population served by frequent and
22 reliable public transit, with a breakdown by income bracket, and
23 percentage of all jobs accessible by frequent and reliable public
24 transit service, with a breakdown by income bracket.

25 (F) The requirements of this section may be met utilizing
26 existing sources of information. No additional traffic counts,
27 household surveys, or other sources of data shall be required.

28 (2) A sustainable communities strategy prepared by each
29 metropolitan planning organization as follows:

30 (A) No later than September 30, 2010, the State Air Resources
31 Board shall provide each affected region with greenhouse gas
32 emission reduction targets for the automobile and light truck sector
33 for 2020 and 2035, respectively.

34 (i) No later than January 31, 2009, the state board shall appoint
35 a Regional Targets Advisory Committee to recommend factors to
36 be considered and methodologies to be used for setting greenhouse
37 gas emission reduction targets for the affected regions. The
38 committee shall be composed of representatives of the metropolitan
39 planning organizations, affected air districts, the League of
40 California Cities, the California State Association of Counties,

1 local transportation agencies, and members of the public, including
2 homebuilders, environmental organizations, planning organizations,
3 environmental justice organizations, affordable housing
4 organizations, and others. The advisory committee shall transmit
5 a report with its recommendations to the state board no later than
6 September 30, 2009. In recommending factors to be considered
7 and methodologies to be used, the advisory committee may
8 consider any relevant issues, including, but not limited to, data
9 needs, modeling techniques, growth forecasts, the impacts of
10 regional jobs-housing balance on interregional travel and
11 greenhouse gas emissions, economic and demographic trends, the
12 magnitude of greenhouse gas reduction benefits from a variety of
13 land use and transportation strategies, and appropriate methods to
14 describe regional targets and to monitor performance in attaining
15 those targets. The state board shall consider the report prior to
16 setting the targets.

17 (ii) Prior to setting the targets for a region, the state board shall
18 exchange technical information with the metropolitan planning
19 organization and the affected air district. The metropolitan planning
20 organization may recommend a target for the region. The
21 metropolitan planning organization shall hold at least one public
22 workshop within the region after receipt of the report from the
23 advisory committee. The state board shall release draft targets for
24 each region no later than June 30, 2010.

25 (iii) In establishing these targets, the state board shall take into
26 account greenhouse gas emission reductions that will be achieved
27 by improved vehicle emission standards, changes in fuel
28 composition, and other measures it has approved that will reduce
29 greenhouse gas emissions in the affected regions, and prospective
30 measures the state board plans to adopt to reduce greenhouse gas
31 emissions from other greenhouse gas emission sources as that term
32 is defined in subdivision (i) of Section 38505 of the Health and
33 Safety Code and consistent with the regulations promulgated
34 pursuant to the California Global Warming Solutions Act of 2006
35 (Division 25.5 (commencing with Section 38500) of the Health
36 and Safety Code).

37 (iv) The state board shall update the regional greenhouse gas
38 emission reduction targets every eight years consistent with each
39 metropolitan planning organization's timeframe for updating its
40 regional transportation plan under federal law until 2050. The state

1 board may revise the targets every four years based on changes in
2 the factors considered under clause (iii). The state board shall
3 exchange technical information with the Department of
4 Transportation, metropolitan planning organizations, local
5 governments, and affected air districts and engage in a consultative
6 process with public and private stakeholders prior to updating these
7 targets.

8 (v) The greenhouse gas emission reduction targets may be
9 expressed in gross tons, tons per capita, tons per household, or in
10 any other metric deemed appropriate by the state board.

11 (B) Each metropolitan planning organization shall prepare a
12 sustainable communities strategy, subject to the requirements of
13 Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of
14 Federal Regulations, including the requirement to utilize the most
15 recent planning assumptions considering local general plans and
16 other factors. The sustainable communities strategy shall (i)
17 identify the general location of uses, residential densities, and
18 building intensities within the region, (ii) identify areas within the
19 region sufficient to house all the population of the region, including
20 all economic segments of the population, over the course of the
21 planning period of the regional transportation plan taking into
22 account net migration into the region, population growth, household
23 formation and employment growth, (iii) identify areas within the
24 region sufficient to house an eight-year projection of the regional
25 housing need for the region pursuant to Section 65584, (iv) identify
26 a transportation network to service the transportation needs of the
27 region, (v) gather and consider the best practically available
28 scientific information regarding resource areas and farmland in
29 the region as defined in subdivisions (a) and (b) of Section
30 65080.01, (vi) consider the state housing goals specified in Sections
31 65580 and 65581, (vii) set forth a forecasted development pattern
32 for the region, which, when integrated with the transportation
33 network, and other transportation measures and policies, will
34 reduce the greenhouse gas emissions from automobiles and light
35 trucks to achieve, if there is a feasible way to do so, the greenhouse
36 gas emission reduction targets approved by the state board, and
37 (viii) allow the regional transportation plan to comply with Section
38 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

39 (C) (i) Within the jurisdiction of the Metropolitan
40 Transportation Commission, as defined by Section 66502, a

1 sustainable communities strategy adopted on or after January 1,
2 2015, shall also include consideration of local and regional air
3 quality, priority infrastructure needs, and the goals and policies
4 related to economic development opportunities and social equity
5 goals pursuant to subdivision (b) of Section 66537.6. The
6 sustainable communities strategy may also include consideration
7 of sea level rise. The Association of Bay Area Governments shall
8 be responsible for clauses (i), (ii), (iii), (v), and (vi) of subparagraph
9 (B). The Metropolitan Transportation Commission shall be
10 responsible for clauses (iv) and (viii) of subparagraph (B), priority
11 infrastructure needs, and the goals and policies related to economic
12 development opportunities and social equity goals pursuant to
13 subdivision (b) of Section 66537.6. The Bay Area Air Quality
14 Management District shall be responsible for criteria pollutants
15 and toxic air contaminants. The Association of Bay Area
16 Governments, the Bay Area Air Quality Management District, the
17 San Francisco Bay Conservation and Development
18 Commission, and the Metropolitan Transportation Commission
19 shall jointly be responsible for clause (vii) of subparagraph (B)
20 and the adoption of the strategy as a whole.

21 (ii) Within the jurisdiction of the Tahoe Regional Planning
22 Agency, as defined in Sections 66800 and 66801, the Tahoe
23 Metropolitan Planning Organization shall use the Regional Plan
24 for the Lake Tahoe Region as the sustainable community strategy,
25 provided that it complies with clauses (vii) and (viii) of
26 subparagraph (B).

27 (D) In the region served by the multicounty transportation
28 planning agency described in Section 130004 of the Public Utilities
29 Code, a subregional council of governments and the county
30 transportation commission may work together to propose the
31 sustainable communities strategy and an alternative planning
32 strategy, if one is prepared pursuant to subparagraph (I), for that
33 subregional area. The metropolitan planning organization may
34 adopt a framework for a subregional sustainable communities
35 strategy or a subregional alternative planning strategy to address
36 the intraregional land use, transportation, economic, air quality,
37 and climate policy relationships. The metropolitan planning
38 organization shall include the subregional sustainable communities
39 strategy for that subregion in the regional sustainable communities
40 strategy to the extent consistent with this section and federal law

1 and approve the subregional alternative planning strategy, if one
2 is prepared pursuant to subparagraph (I), for that subregional area
3 to the extent consistent with this section. The metropolitan planning
4 organization shall develop overall guidelines, create public
5 participation plans pursuant to subparagraph (F), ensure
6 coordination, resolve conflicts, make sure that the overall plan
7 complies with applicable legal requirements, and adopt the plan
8 for the region.

9 (E) The metropolitan planning organization shall conduct at
10 least two informational meetings in each county within the region
11 for members of the board of supervisors and city councils on the
12 sustainable communities strategy and alternative planning strategy,
13 if any. The metropolitan planning organization may conduct only
14 one informational meeting if it is attended by representatives of
15 the county board of supervisors and city council members
16 representing a majority of the cities representing a majority of the
17 population in the incorporated areas of that county. Notice of the
18 meeting or meetings shall be sent to the clerk of the board of
19 supervisors and to each city clerk. The purpose of the meeting or
20 meetings shall be to discuss the sustainable communities strategy
21 and the alternative planning strategy, if any, including the key land
22 use and planning assumptions to the members of the board of
23 supervisors and the city council members in that county and to
24 solicit and consider their input and recommendations.

25 (F) Each metropolitan planning organization shall adopt a public
26 participation plan, for development of the sustainable communities
27 strategy and an alternative planning strategy, if any, that includes
28 all of the following:

29 (i) Outreach efforts to encourage the active participation of a
30 broad range of stakeholder groups in the planning process,
31 consistent with the agency's adopted Federal Public Participation
32 Plan, including, but not limited to, affordable housing advocates,
33 transportation advocates, neighborhood and community groups,
34 environmental advocates, home builder representatives,
35 broad-based business organizations, landowners, commercial
36 property interests, and homeowner associations.

37 (ii) Consultation with congestion management agencies,
38 transportation agencies, and transportation commissions.

39 (iii) Workshops throughout the region to provide the public with
40 the information and tools necessary to provide a clear

1 understanding of the issues and policy choices. At least one
2 workshop shall be held in each county in the region. For counties
3 with a population greater than 500,000, at least three workshops
4 shall be held. Each workshop, to the extent practicable, shall
5 include urban simulation computer modeling to create visual
6 representations of the sustainable communities strategy and the
7 alternative planning strategy.

8 (iv) Preparation and circulation of a draft sustainable
9 communities strategy and an alternative planning strategy, if one
10 is prepared, not less than 55 days before adoption of a final regional
11 transportation plan.

12 (v) At least three public hearings on the draft sustainable
13 communities strategy in the regional transportation plan and
14 alternative planning strategy, if one is prepared. If the metropolitan
15 transportation organization consists of a single county, at least two
16 public hearings shall be held. To the maximum extent feasible, the
17 hearings shall be in different parts of the region to maximize the
18 opportunity for participation by members of the public throughout
19 the region.

20 (vi) A process for enabling members of the public to provide a
21 single request to receive notices, information, and updates.

22 (G) In preparing a sustainable communities strategy, the
23 metropolitan planning organization shall consider spheres of
24 influence that have been adopted by the local agency formation
25 commissions within its region.

26 (H) Prior to adopting a sustainable communities strategy, the
27 metropolitan planning organization shall quantify the reduction in
28 greenhouse gas emissions projected to be achieved by the
29 sustainable communities strategy and set forth the difference, if
30 any, between the amount of that reduction and the target for the
31 region established by the state board.

32 (I) If the sustainable communities strategy, prepared in
33 compliance with subparagraph (B) or (D), is unable to reduce
34 greenhouse gas emissions to achieve the greenhouse gas emission
35 reduction targets established by the state board, the metropolitan
36 planning organization shall prepare an alternative planning strategy
37 to the sustainable communities strategy showing how those
38 greenhouse gas emission targets would be achieved through
39 alternative development patterns, infrastructure, or additional
40 transportation measures or policies. The alternative planning

1 strategy shall be a separate document from the regional
2 transportation plan, but it may be adopted concurrently with the
3 regional transportation plan. In preparing the alternative planning
4 strategy, the metropolitan planning organization:

5 (i) Shall identify the principal impediments to achieving the
6 targets within the sustainable communities strategy.

7 (ii) May include an alternative development pattern for the
8 region pursuant to subparagraphs (B) to (G), inclusive.

9 (iii) Shall describe how the greenhouse gas emission reduction
10 targets would be achieved by the alternative planning strategy, and
11 why the development pattern, measures, and policies in the
12 alternative planning strategy are the most practicable choices for
13 achievement of the greenhouse gas emission reduction targets.

14 (iv) An alternative development pattern set forth in the
15 alternative planning strategy shall comply with Part 450 of Title
16 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,
17 except to the extent that compliance will prevent achievement of
18 the greenhouse gas emission reduction targets approved by the
19 state board.

20 (v) For purposes of the California Environmental Quality Act
21 (Division 13 (commencing with Section 21000) of the Public
22 Resources Code), an alternative planning strategy shall not
23 constitute a land use plan, policy, or regulation, and the
24 inconsistency of a project with an alternative planning strategy
25 shall not be a consideration in determining whether a project may
26 have an environmental effect.

27 (J) (i) Prior to starting the public participation process adopted
28 pursuant to subparagraph (F), the metropolitan planning
29 organization shall submit a description to the state board of the
30 technical methodology it intends to use to estimate the greenhouse
31 gas emissions from its sustainable communities strategy and, if
32 appropriate, its alternative planning strategy. The state board shall
33 respond to the metropolitan planning organization in a timely
34 manner with written comments about the technical methodology,
35 including specifically describing any aspects of that methodology
36 it concludes will not yield accurate estimates of greenhouse gas
37 emissions, and suggested remedies. The metropolitan planning
38 organization is encouraged to work with the state board until the
39 state board concludes that the technical methodology operates
40 accurately.

1 (ii) ~~After adoption, a metropolitan planning organization shall~~
2 ~~submit a sustainable communities strategy or an alternative~~
3 ~~planning strategy, if one has been adopted, to the state board for~~
4 ~~review, including the quantification of the greenhouse gas emission~~
5 ~~reductions the strategy would achieve and a description of the~~
6 ~~technical methodology used to obtain that result. Review by the~~
7 ~~state board shall be limited to acceptance or rejection of the~~
8 ~~metropolitan planning organization's determination that the strategy~~
9 ~~submitted would, if implemented, achieve the greenhouse gas~~
10 ~~emission reduction targets established by the state board. The state~~
11 ~~board shall complete its review within 60 days.~~

12 (iii) ~~If the state board determines that the strategy submitted~~
13 ~~would not, if implemented, achieve the greenhouse gas emission~~
14 ~~reduction targets, the metropolitan planning organization shall~~
15 ~~revise its strategy or adopt an alternative planning strategy, if not~~
16 ~~previously adopted, and submit the strategy for review pursuant~~
17 ~~to clause (ii). At a minimum, the metropolitan planning~~
18 ~~organization must obtain state board acceptance that an alternative~~
19 ~~planning strategy would, if implemented, achieve the greenhouse~~
20 ~~gas emission reduction targets established for that region by the~~
21 ~~state board.~~

22 (K) ~~Neither a sustainable communities strategy nor an alternative~~
23 ~~planning strategy regulates the use of land, nor, except as provided~~
24 ~~by subparagraph (J), shall either one be subject to any state~~
25 ~~approval. Nothing in a sustainable communities strategy shall be~~
26 ~~interpreted as superseding the exercise of the land use authority~~
27 ~~of cities and counties within the region. Nothing in this section~~
28 ~~shall be interpreted to limit the state board's authority under any~~
29 ~~other provision of law. Nothing in this section shall be interpreted~~
30 ~~to authorize the abrogation of any vested right whether created by~~
31 ~~statute or by common law. Nothing in this section shall require a~~
32 ~~city's or county's land use policies and regulations, including its~~
33 ~~general plan, to be consistent with the regional transportation plan~~
34 ~~or an alternative planning strategy. Nothing in this section requires~~
35 ~~a metropolitan planning organization to approve a sustainable~~
36 ~~communities strategy that would be inconsistent with Part 450 of~~
37 ~~Title 23 of, or Part 93 of Title 40 of, the Code of Federal~~
38 ~~Regulations and any administrative guidance under those~~
39 ~~regulations. Nothing in this section relieves a public or private~~

1 entity or any person from compliance with any other local, state,
2 or federal law.

3 ~~(L) Nothing in this section requires projects programmed for~~
4 ~~funding on or before December 31, 2011, to be subject to the~~
5 ~~provisions of this paragraph if they (i) are contained in the 2007~~
6 ~~or 2009 Federal Statewide Transportation Improvement Program,~~
7 ~~(ii) are funded pursuant to Chapter 12.49 (commencing with~~
8 ~~Section 8879.20) of Division 1 of Title 2, or (iii) were specifically~~
9 ~~listed in a ballot measure prior to December 31, 2008, approving~~
10 ~~a sales tax increase for transportation projects. Nothing in this~~
11 ~~section shall require a transportation sales tax authority to change~~
12 ~~the funding allocations approved by the voters for categories of~~
13 ~~transportation projects in a sales tax measure adopted prior to~~
14 ~~December 31, 2010. For purposes of this subparagraph, a~~
15 ~~transportation sales tax authority is a district, as defined in Section~~
16 ~~7252 of the Revenue and Taxation Code, that is authorized to~~
17 ~~impose a sales tax for transportation purposes.~~

18 ~~(M) A metropolitan planning organization, or a regional~~
19 ~~transportation planning agency not within a metropolitan planning~~
20 ~~organization, that is required to adopt a regional transportation~~
21 ~~plan not less than every five years, may elect to adopt the plan not~~
22 ~~less than every four years. This election shall be made by the board~~
23 ~~of directors of the metropolitan planning organization or regional~~
24 ~~transportation planning agency no later than June 1, 2009, or~~
25 ~~thereafter 54 months prior to the statutory deadline for the adoption~~
26 ~~of housing elements for the local jurisdictions within the region;~~
27 ~~after a public hearing at which comments are accepted from~~
28 ~~members of the public and representatives of cities and counties~~
29 ~~within the region covered by the metropolitan planning~~
30 ~~organization or regional transportation planning agency. Notice~~
31 ~~of the public hearing shall be given to the general public and by~~
32 ~~mail to cities and counties within the region no later than 30 days~~
33 ~~prior to the date of the public hearing. Notice of election shall be~~
34 ~~promptly given to the Department of Housing and Community~~
35 ~~Development. The metropolitan planning organization or the~~
36 ~~regional transportation planning agency shall complete its next~~
37 ~~regional transportation plan within three years of the notice of~~
38 ~~election.~~

39 ~~(N) Two or more of the metropolitan planning organizations~~
40 ~~for Fresno County, Kern County, Kings County, Madera County,~~

1 ~~Mereed County, San Joaquin County, Stanislaus County, and~~
2 ~~Tulare County may work together to develop and adopt~~
3 ~~multiregional goals and policies that may address interregional~~
4 ~~land use, transportation, economic, air quality, and climate~~
5 ~~relationships. The participating metropolitan planning organizations~~
6 ~~may also develop a multiregional sustainable communities strategy,~~
7 ~~to the extent consistent with federal law, or an alternative planning~~
8 ~~strategy for adoption by the metropolitan planning organizations.~~
9 ~~Each participating metropolitan planning organization shall~~
10 ~~consider any adopted multiregional goals and policies in the~~
11 ~~development of a sustainable communities strategy and, if~~
12 ~~applicable, an alternative planning strategy for its region.~~

13 ~~(3) An action element that describes the programs and actions~~
14 ~~necessary to implement the plan and assigns implementation~~
15 ~~responsibilities. The action element may describe all transportation~~
16 ~~projects proposed for development during the 20-year or greater~~
17 ~~life of the plan. The action element shall consider congestion~~
18 ~~management programming activities carried out within the region.~~

19 ~~(4) (A) A financial element that summarizes the cost of plan~~
20 ~~implementation constrained by a realistic projection of available~~
21 ~~revenues. The financial element shall also contain~~
22 ~~recommendations for allocation of funds. A county transportation~~
23 ~~commission created pursuant to Section 130000 of the Public~~
24 ~~Utilities Code shall be responsible for recommending projects to~~
25 ~~be funded with regional improvement funds, if the project is~~
26 ~~consistent with the regional transportation plan. The first five years~~
27 ~~of the financial element shall be based on the five-year estimate~~
28 ~~of funds developed pursuant to Section 14524. The financial~~
29 ~~element may recommend the development of specified new sources~~
30 ~~of revenue, consistent with the policy element and action element.~~

31 ~~(B) The financial element of transportation planning agencies~~
32 ~~with populations that exceed 200,000 persons may include a project~~
33 ~~cost breakdown for all projects proposed for development during~~
34 ~~the 20-year life of the plan that includes total expenditures and~~
35 ~~related percentages of total expenditures for all of the following:~~

- 36 ~~(i) State highway expansion.~~
37 ~~(ii) State highway rehabilitation, maintenance, and operations.~~
38 ~~(iii) Local road and street expansion.~~
39 ~~(iv) Local road and street rehabilitation, maintenance, and~~
40 ~~operation.~~

- 1 (v) ~~Mass transit, commuter rail, and intercity rail expansion.~~
2 (vi) ~~Mass transit, commuter rail, and intercity rail rehabilitation,~~
3 ~~maintenance, and operations.~~
4 (vii) ~~Pedestrian and bicycle facilities.~~
5 (viii) ~~Environmental enhancements and mitigation.~~
6 (ix) ~~Research and planning.~~
7 (x) ~~Other categories.~~

8 (C) ~~The metropolitan planning organization or county~~
9 ~~transportation agency, whichever entity is appropriate, shall~~
10 ~~consider financial incentives for cities and counties that have~~
11 ~~resource areas or farmland, as defined in Section 65080.01, for~~
12 ~~the purposes of, for example, transportation investments for the~~
13 ~~preservation and safety of the city street or county road system~~
14 ~~and farm-to-market and interconnectivity transportation needs.~~
15 ~~The metropolitan planning organization or county transportation~~
16 ~~agency, whichever entity is appropriate, shall also consider~~
17 ~~financial assistance for counties to address countywide service~~
18 ~~responsibilities in counties that contribute toward the greenhouse~~
19 ~~gas emission reduction targets by implementing policies for growth~~
20 ~~to occur within their cities.~~

21 (e) ~~Each transportation planning agency may also include other~~
22 ~~factors of local significance as an element of the regional~~
23 ~~transportation plan, including, but not limited to, issues of mobility~~
24 ~~for specific sectors of the community, including, but not limited~~
25 ~~to, senior citizens.~~

26 (d) ~~Except as otherwise provided in this subdivision, each~~
27 ~~transportation planning agency shall adopt and submit, every four~~
28 ~~years, an updated regional transportation plan to the California~~
29 ~~Transportation Commission and the Department of Transportation.~~
30 ~~A transportation planning agency located in a federally designated~~
31 ~~air quality attainment area or that does not contain an urbanized~~
32 ~~area may at its option adopt and submit a regional transportation~~
33 ~~plan every five years. When applicable, the plan shall be consistent~~
34 ~~with federal planning and programming requirements and shall~~
35 ~~conform to the regional transportation plan guidelines adopted by~~
36 ~~the California Transportation Commission. Prior to adoption of~~
37 ~~the regional transportation plan, a public hearing shall be held after~~
38 ~~the giving of notice of the hearing by publication in the affected~~
39 ~~county or counties pursuant to Section 6061.~~

~~SEC. 2.~~

SECTION 1. Section 66537.1 is added to the Government Code, to read:

66537.1. (a) ~~The member agencies of the joint policy committee created pursuant to subdivision (d) of Section 66536 shall prepare a plan for consolidating the functions that are common to the member agencies, including, but not limited to, personnel and human resources, budget and financial services, electronic data and communications systems, legal services, contracting and procurement of goods and services, public information and outreach services, intergovernmental relations, transportation, land use, economic, and related forecasting models, and other related activities, as deemed appropriate and feasible, that will further the goals of the member agencies and reduce redundancy: complete an analysis of common functions and identify opportunities to save costs, reduce redundancies, and further the goals of the member agencies.~~ The plan analysis shall also include a statement as to the expected reduction in the cost of overhead and in the cost of operation and management of the member agencies.

~~(b) On or before December 31, 2015, a member agency affected by the plan shall submit a copy of the plan to its board.~~

~~(c) On or before December 31, 2016, the member agencies shall report to the Senate Committee on Transportation and Housing on the adoption and implementation of the plan.~~

~~SEC. 3.~~

SEC. 2. Section 66537.2 is added to the Government Code, to read:

66537.2. (a) Prior to initiating public outreach and participation efforts for a regional transportation plan update, including the sustainable communities strategy pursuant to subparagraphs (B) and (C) of paragraph (2) of subdivision (b) of Section 65080, the Metropolitan Transportation Commission, in consultation with the Association of Bay Area Governments, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, shall issue, for public comment, a draft public participation plan to meet the public participation requirements under federal law and Section 65080.

(b) (1) ~~At least 180~~ 30 days before issuing the draft under subdivision (a), the Metropolitan Transportation Commission shall convene a public engagement advisory group to meet ~~at least six~~

1 ~~times as needed~~ before the draft is issued for public comment and
2 ~~until the adoption of the public participation plan. The public~~
3 ~~engagement advisory group shall include, but shall not be limited~~
4 ~~to, persons representing local planning agencies, congestion~~
5 ~~management authorities or other local government agencies,~~
6 ~~low-income communities, communities of color, seniors, persons~~
7 ~~with disabilities, business, and environmental organizations.~~
8 Meetings of the public engagement advisory group shall be subject
9 to the Ralph M. Brown Act (Chapter 9 (commencing with Section
10 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

11 ~~(2) The Metropolitan Transportation Commission shall accept~~
12 ~~nominations for membership on the public engagement advisory~~
13 ~~group from community-based organizations representing~~
14 ~~populations that are traditionally underrepresented in~~
15 ~~decisionmaking, including minority and low-income populations.~~
16 ~~Not less than 60 percent of the members of the public engagement~~
17 ~~advisory group shall be affiliated with those community-based~~
18 ~~groups.~~

19 ~~(3)~~
20 (2) The public engagement advisory group shall be charged
21 with all of the following tasks:

22 (A) Reviewing the public participation process in connection
23 with the development and adoption of the previous regional
24 transportation plan and sustainable communities strategy and
25 assessing both of the following:

26 (i) Strengths and weaknesses.
27 (ii) The degree to which the public participation plans were
28 implemented, and the degree to which specific implementation
29 actions contributed to a robust, inclusive, and transparent process.

30 (B) Identifying key decision points in the process by which the
31 previous regional transportation plan and sustainable communities
32 strategy ~~was were~~ developed and adopted, including all of the
33 following: ~~adopted.~~

34 ~~(i) Decision points relating to public outreach.~~
35 ~~(ii) Participation and process needs assessment and prioritization.~~
36 ~~(iii) Goals and objectives.~~
37 ~~(iv) Targets and performance measures.~~
38 ~~(v) Equity metrics and equity analysis.~~
39 ~~(vi) Scenario development and evaluation.~~
40 ~~(vii) Selection of a preferred alternative.~~

1 ~~(viii) Regional housing needs assessment methodology and~~
2 ~~allocation.~~

3 ~~(ix) Scoping of the environmental impact report.~~

4 ~~(x) Response to comments.~~

5 ~~(xi) Investment and planning tradeoffs.~~

6 ~~(xii) Relevant decision points of other public agencies, such as~~
7 ~~county congestion management agencies, transit operators, the~~
8 ~~Bay Area Partnership Board, cities, and counties.~~

9 ~~(C) Assisting staff—~~*Providing recommendations to the*
10 *Metropolitan Transportation Commission and the Association of*
11 *Bay Area Governments* in developing a draft public participation
12 plan that ~~does~~ *seeks to do* all of the following:

13 (i) ~~Provides—~~*Provide* a clear process map, timeline, and
14 description of all key decision points, ~~including those described~~
15 ~~in subparagraph (B).~~ *points.*

16 (ii) ~~Sets—~~*Set* forth outreach activities designed to meaningfully
17 inform and engage San Francisco ~~bay area~~ *Bay Area* residents,
18 including activities targeting populations traditionally
19 underrepresented in regional planning, such as minority and
20 low-income populations.

21 (iii) ~~Sets—~~*Set* forth the role of advisory committees in the
22 development and approval of the regional transportation plan
23 update and sustainable communities strategy.

24 (iv) ~~Sets—~~*Set* forth the role of other agencies and local
25 jurisdictions in the planning process, and ~~prescribes~~ *prescribe*
26 requirements for inclusive public engagement and ~~transparency,~~
27 ~~to which the Metropolitan Transportation Commission will hold~~
28 ~~those agencies and jurisdictions accountable.~~ *transparency.*

29 (v) ~~Addresses—~~*Address* any other priority concerns raised by the
30 public engagement advisory group.

31 ~~SEC. 4.~~

32 *SEC. 3.* Section 66537.3 is added to the Government Code, to
33 read:

34 66537.3. The joint policy committee shall maintain an Internet
35 Web site containing relevant information pertaining to the joint
36 policy committee's activities.

37 ~~SEC. 5.~~

38 *SEC. 4.* Section 66537.4 is added to the Government Code, to
39 read:

1 66537.4. The joint policy committee shall be subject to the
2 Ralph M. Brown Act (Chapter 9 (commencing with Section 54950)
3 of Part 1 of Division 2 of Title 5).

4 ~~SEC. 6.~~

5 *SEC. 5.* Section 66537.6 is added to the Government Code, to
6 read:

7 66537.6. (a) The joint policy committee shall appoint an
8 advisory committee on economic competitiveness with members
9 from the business community, including representatives of small
10 businesses and the technology and manufacturing sectors,
11 community colleges, public and private universities, labor, local
12 governments, community organizations with an interest in
13 expanding economic opportunity for low-income populations and
14 communities, and other organizations involved with the private
15 economy.

16 (b) The joint policy committee, in consultation with the advisory
17 committee, shall adopt goals and policies related to ~~the inclusion~~
18 ~~of economic development opportunities in the sustainable~~
19 ~~communities strategy~~. The goals and policies shall also promote
20 amenities that are special to the region and contribute to the
21 region's quality of life. Social equity goals and considerations shall
22 be integrated throughout to ensure that low-income populations
23 and populations of color share fairly in the benefits and burdens
24 of the economic development goals and policies and their
25 implementation and include strategies to improve the economic
26 conditions and opportunities for all residents with special attention
27 given to opportunities available for low-income residents and
28 populations of color.

29 ~~SEC. 7.~~

30 *SEC. 6.* Section 66537.7 is added to the Government Code, to
31 read:

32 66537.7. The Metropolitan Transportation Commission shall
33 report ~~biannually~~ *biennially* to the Legislature and the public at
34 large on progress in implementing the policies and programs of
35 the sustainable communities strategy required pursuant to
36 subparagraph (B) of paragraph (2) of subdivision (b) of Section
37 65080 and in preparing the subsequent sustainable communities
38 strategy.

1 ~~SEC. 8.~~

2 *SEC. 7.* If the Commission on State Mandates determines that
3 this act contains costs mandated by the state, reimbursement to
4 local agencies and school districts for those costs shall be made
5 pursuant to Part 7 (commencing with Section 17500) of Division
6 4 of Title 2 of the Government Code.

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